

Remark

This amendment is submitted in an earnest effort to advance this case to issue without delay.

An obvious typographical error in claim 2 has been corrected. This restores the term MgO from original claim 2 and therefore does not constitute new matter or a new issue.

The rejection under §112 is incorrect. Main claim 10 makes it clear that the substrate supports two coatings each formed of two layers. The second coating can, indeed, be identical to the first coating as clearly described in the Substitute Specification on page 5, lines 14ff. The claim is not mistakenly reciting the first coating twice; instead it is individually describing two succeeding coatings, albeit comprised of layers that can be identical. Claim 11 merely adds a third coating that can, once again, be identical to the first two coatings. In fact the coatings can be different within the definitions of the various layers, but they can also be identical. Claim 10 clearly states that the second coating is "on the first coating" so that it is absolutely clear. Similarly the third coating is described as "on the second coating," so no vagueness exists.

The claims stand rejected on newly applied art, some of which was in fact supplied by applicant.

More particularly both US 4,702,970 and 4,701,384 of Sarin show coatings for cutting inserts or the like comprised of one and two-phase layers mounted on the substrate constituted by the cutting tool. Column 3, lines 23ff of US '970 define what is meant by a one- and two-phase layer. Here the coating comprises two-phase Al₂O₃/ZrO₃ alternating with single-phase Al₂O₃. This is different from the claimed invention comprising at least two coatings each made of a three-phase and a one-phase layer. Table 1 of US '970 shows that there are not two coatings, just one.

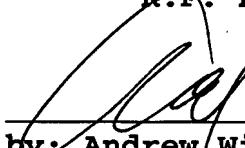
Going further, there is similarly no basis for seeing a third coating as defined in claims 2 and 6. Two coatings are not shown or suggested; three are not either.

US 5,746,563 of Nakano, like both the above-discussed Sarin patents, does not show a multiple-coating system. Instead only two-phase coatings are described where in addition to either Al or Zr oxide there is Ti oxide. There is also no suggestion for a system with two different phases o fan oxide of Al, Zr, or Hf. The idea of a sequence of two double coatings of which the first has the described three phases and the second Al, Zr, or Hf oxide is not seen in the art. US '563 does indeed describe thin coatings, but these four intermediate layers are all Al oxide with a Ti and Tic Phases, or TiCNO. This does not anticipate the instant invention.

For these reasons all of the claims of the case are in condition for allowance. Notice to that effect is earnestly solicited.

If only minor problems that could be corrected by means of a telephone conference stand in the way of allowance of this case, the examiner is invited to call the undersigned to make the necessary corrections.

Respectfully submitted,
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Enclosure:

None.